

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on March 3, 2011 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Marian M. Liu

Applicant : Dah-Ben Liang, et al. Confirmation No. 7809
Application No. : 09/637,764
Filed : August 10, 2000
Title : ROCK BIT WITH HARD-FACING MATERIAL INCORPORATING
SPHERICAL CAST CARBIDE PARTICLES
Grp./Div. : 3672
Examiner : William P. Neuder
Docket No. : 36912/S61

**PETITION UNDER 37 C.F.R. §1.47(a) TO ACCEPT UNEXECUTED DECLARATION
ON BEHALF OF AN UNCOOPERATIVE JOINT INVENTOR**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
March 3, 2011

Commissioner:

As Attorney of Record for the above-identified reissue patent application, I hereby petition for acceptance, in response to the Office Action mailed on September 3, 2010, Substitute Declarations for Reissue Patent Application signed by the inventors Dah-Ben Liang, Jiinjen Albert Sue, and Alysia C. White on behalf of themselves and non-signing inventor Zhigang Fang (also referred to as Zak Fang), who has not signed the Substitute Declaration for Reissue Patent Application (the "Substitute Declaration").

In accordance with 37 C.F.R. §1.47(a), this petition is accompanied with the following:

1. The Substitute Declaration for Reissue Patent Application for the above-identified application signed by the inventors Dah-Ben Liang, Jiinjen Albert Sue, and Alysia C. White.

Adjustment date: 05/11/2011 CKHLOK 09637764
03/04/2011 INTFSW 00003927 031728

05/11/2011 CKHLOK 00000005 031728 09637764
01 FC:1462 400.00 DA

Application No. 09/637,764

The unsigned Substitute Declaration for Reissue Patent Application of Zhigang Fang is also provided. It is hereby requested that this Substitute Declaration be treated as having been signed by Mr. Fang;

2. The Declaration of Inez Cameron, Patent Administrator for the assignee of the above-identified application, Smith International, Inc., attesting to the pertinent facts showing that Mr. Fang was uncooperative and did not sign the Substitute Declaration; and

3. The fee in the amount of \$200.00 for payment as required by 37 C.F.R. §1.17(g). The Commissioner is hereby authorized to charge any further fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728.

The name and last known address for Mr. Fang is:

6718 South Aqua Vista Place
Salt Lake City, Utah 84121

The requirements under 37 C.F.R. §1.47(a) have been met. Applicants respectfully request the granting of this petition.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By

Constantine Marantidis
Reg. No. 39,759
626/795-9900

CM/mml

MML PAS946337.1-*03/3/11 10:30 AM